

2661

PATENT



THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In the **PATENT APPLICATION** of:

Donald L. Schilling

**Application No.:** 09/878,586

**Confirmation No.:** 4509

**Filed:** June 11, 2001

**For:** BROADBAND CDMA OVERLAY  
SYSTEM AND METHOD

**Group:** 2661

**Examiner:** Not Yet Known

**Our File:** I-2-0053.3US

**Date:** June 29, 2004

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
INCLUDING RULE 1.97(e)(2) AND RULE 1.704(d) STATEMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form, which was cited in an office action in related U.S. Application No. 10/072,083 (I-2-0072.6US).

Pursuant to Rule 1.704(d), the undersigned certifies that each item of information contained in this Supplemental Information Disclosure Statement (SIDS) was cited in a communication from the U.S. Patent and Trademark Office in a related application and that this communication was not received by any individual designated in §1.56(c) more than thirty (30) days prior to the filing of the SIDS.

Pursuant to 37 C.F.R. §1.98, copies of the cited U.S. patents are not provided.

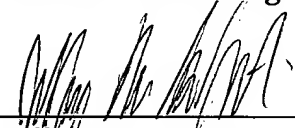
Although not required since no office action has issued yet in the instant case, the undersigned hereby makes a statement under 37 C.F.R. §1.97(e)(2): no item of information contained in this Supplemental Information Disclosure Statement (SIDS) was cited in any communication from a foreign patent office in a counterpart foreign application, nor, to the knowledge of the undersigned after making reasonable inquiry, known to any individual designated in §1.56(c) more than three months prior to the filing of this SIDS.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating consideration of the cited materials.

Respectfully submitted,

Donald L. Schilling

By

  
Jeffrey M. Glabicki  
Registration No. 42,584  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103

JMG/mak  
Enclosure



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. I-2-0053.3US	SERIAL NO. 09/878,586
	APPLICANT Donald L. Schilling	
	FILING DATE June 11, 2001	GROUP 2661

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DQ	3,641,433	02/1972	Mifflin et al.			
	DR	4,048,563	09/1977	Osborne, Eugene F.			
	DS	4,270,207	05/1981	Gutleber, Frank S.			
	DT	4,864,588	09/1989	Simpson et al.			
	DU	5,029,180	07/1991	Cowart, Brooks E.			
	DV	5,036,523	07/1991	Briskman, Robert D.			
	DW	5,189,683	02/1993	Cowart, Brooks E.			
	DX	5,329,547	07/1994	Ling, Fuyun			

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



PTO/SB/21 (04-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/878,586
Filing Date	June 11, 2001
First Named Inventor	Donald L. Schilling
Art Unit	2661
Examiner Name	Not Yet Known
Attorney Docket Number	I-2-0053.3US

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Supplemental Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Form PTO-1449 |
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Remarks

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Jeffrey M. Glabicki	Reg. No. 42,584
Signature	<i>Jeffrey M. Glabicki</i>	
Date	6/29/04	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jeffrey M. Glabicki
Signature	<i>Jeffrey M. Glabicki</i>
Date	6/29/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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